

REMARKS/ARGUMENTS

Claims 1-21 stand in the present application, claims 1, 3, 10-13, 15, 19 and 20 having been amended, and new claim 21 having been added. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

In the Office Action, the Examiner has objected to the specification for allegedly failing to provide proper antecedent basis for the claimed subject matter. Applicant respectfully submits that the Examiner's objection to the specification is in error for the following reasons: claim 5 is fully supported at page 5, lines 25-30 of the present specification; claim 13 is fully supported at page 6, lines 9-13 of the present specification; claim 17 is fully supported by the present specification at page 4, lines 20-24 and page 18, lines 1-10 of the present specification; and claim 18 is fully supported by the present specification at page 4, lines 20-22. Accordingly, Applicant respectfully requests that the Examiner withdraw the objection to the specification as not supporting the above enumerated claims.

The Examiner has objected to claims 11-13 and 15 under 37 CFR 1.75 (c) as being of improper dependent form. Applicant has corrected the deficiency pointed out by the Examiner by amending the dependency of claims 11-13 and 15 to claim 10. Accordingly, the Examiner's objection to these claims is believed to have been overcome.

The Examiner has rejected claims 2, 3, 8, 10, 11, 13 and 16-18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant

respectfully traverses the Examiner's § 112, second paragraph, rejection of these claims.

With respect to claim 2, the limitation "previous issue of either parent" is clearly defined in the present specification at page 6, line 32 to page 7, line 9. More particularly, if the parents of a child to be identified had previous children, i.e., issue, then the first name of that elder sibling would become part of the identifier for the later born child. As noted, this is clearly described in the aforementioned section of the present specification. Accordingly, it is respectfully submitted that claim 2 is clearly supported by the specification and that those skilled in the art would readily recognize this to be the case. Thus, Applicant respectfully requests that the Examiner withdraw the rejection of claim 2. With respect to claim 3, in order to expeditiously further the prosecution of this case, Applicant has split claim 3 into two claims, 3 and 21, to clarify for the Examiner the alternative recitation in claim 3 as previously filed. This Amendment to claim 3 and the addition of claim 21 is believed to moot the Examiner's § 112, second paragraph, rejection of claim 3. With respect to claim 8, the same arguments with respect to claim 2 apply and it is respectfully submitted that claim 8 is fully supported by the specification as was claim 2 and that the Examiner's rejection of claim 8 should be withdrawn.

With respect to claim 10, Applicant has amended the claim to more clearly recite that a transaction proposition in the claimed format utilizing the claimed expressions is provided for global messaging. Accordingly, the Examiner's rejection of claim 10 is also believed to be moot.

Claim 11 merely recites that the header for the data that is being transmitted globally comprises the unique personal identification key. The Examiner states that it is not understood how Applicant wants the key to be the header, but it reasonably follows that if data concerning a patient is to be transmitted (or law enforcement information concerning that individual) that such information or data should be transmitted with a unique header identifying the individual involved. In any event, it is respectfully submitted that claim 11 is clearly supported by the present specification and is clearly defined therein so that the Examiner's rejection of this claim should also be withdrawn.

Similarly, with respect to claims 16-18 surely the Examiner should understand that the transmission of patient health care data should be uniquely identified hence the use of the unique personal identification key for identifying the patient. Similar arguments apply in the law enforcement context with respect to claim 17 and with respect to claim 18 wherein the unique personal identification key identifies a world wide web domain name for web services for a global citizen, i.e., the individual having the unique personal identification key. Accordingly, rejection of claims 16-18 under § 112, second paragraph, should also be withdrawn.

The Examiner has rejected claims 19-20 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements of the overall claim system. To correct the deficiency pointed out by the Examiner, Applicant has amended claims 19 and 20 to recite a computer-implemented method. Accordingly, the amendments to these claims are believed to overcome the Examiner's § 112, second paragraph, rejection of the claims.

The Examiner has rejected claims 1-18 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. As noted above, Applicant has amended independent claim 1 to recite a computer-implemented method which uses a processor for performing the following steps. Accordingly, the Examiner's § 101 rejection of these claims is believed to have been overcome.

The Examiner has also rejected claims 19-20 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. As noted above, Applicant has amended claims 19 and 20 to recite a computer-implemented method using at least one processor for performing the elements of the claims. Accordingly, the Examiner's § 101 rejection of these claims is also believed to have been overcome.

The Examiner has also rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Shanahan et al. ("Shanahan") in view of Eaton and further in view of Duncan. Applicant respectfully traverse the Examiner's § 103 rejections of the claims.

1. The invention

Applicant's invention has particular application in the area of healthcare, where medical records, even in a single jurisdiction, currently rely on a myriad of different systems, generally mutually incompatible, resulting in a total lack of unification and therefore duplication, waste, and less than optimal care provision. The invention therefore aims to provide a system of universal identifiers, removing the reliance on organisations or authorities to issue or guarantee uniqueness. This then allows the embedding of agent medical codes (see Oon's previous patented inventions, as

discussed in the current specification) within electronic messages and documents, to enable decision support in a seamless and (if required) automated manner.

In addition, as an essential feature of the invention, the identifier key is expressed in human-readable form. In the healthcare arena, then, the invention allows any user or healthcare worker to operate in autonomy to compute and derive the unique patient identifier from data easily obtained from the patient or relatives or held in related information such as birth certificates, without the need for any reliance on a central authority.

Although of particular application to the healthcare sector, the present invention also has potential use in fields such as law enforcement.

2. The prior art

As discussed in detail below, the prior art relied on by the Examiner does not set out to create a unique personal ID which allow for *pro re nata* and *de novo* construction of identifier keys independently by a service provider, which will then afford unique identification in accordance with a unified system. Applicant notes that it would not have been obvious to those skilled in the art to combine the Examiner's three references, but even if combined the three references do not arrive at Applicant's claimed invention.

Shanahan - US 2003/0033288

Shanahan relates to auto-completion of forms in what is referred to as a "document-centric system." The concept is designed to help a user in completing a document or form on a computer screen, and aims to provide a more user friendly

interface than previously available. As an example, it can assist in the web experience when a user is filling in a form in booking a flight online.

In accordance with the disclosure, an auto-completion request is sent to a system along with an entity fragment, and the system uses this information to search its databases for a personalised match that specifically responds to the request. The method contemplates the use of "personality identifiers," which can include location information and other context information.

Shanahan does discuss user IDs and use of data within a document, but that appears to be the only relevance to the present invention.

Shanahan does not teach a method or system which enables association of records with to a unique individual, and does not even contemplate the use of unique keys to identify individuals, in the health care domain or otherwise. It appears the Examiner may have erroneously confused the "personality identifier" of Shanahan (a 'many-to-one' concept) with the unique personal identifier (a 'one-to-one' concept) of the present invention. As Shanahan makes clear "personality" is used to mean a thematic set of services that can be used to enrich a document. See, Shanahan at page 4, paragraph [0131]. That has nothing to do with the purpose or function of Applicant's invention.

Eaton - US 2004/0083226

Eaton concerns the transmission of genealogical data. The genealogical data is stored in a database in a server connected to the Internet. When a user makes a request for a pedigree chart, the data structure can be expanded to fully represent

individuals in the pedigree chart. This expanded data structure defines the generations of the pedigree chart. As each individual is represented by a node, relationships are expressed as links to other nodes on the same and adjacent generations. The use of 'relationship links' in Eaton's network of nodes allows the unique identification of each node, the concept making use of pointers to identify the nodes. The invention addresses the problem of storing, retrieving and displaying pedigree/family tree structures over the Internet.

Eaton does use an individual identifier within the system (associated with a node) to locate data relating to the relevant individual. However, the Examiner errs in suggesting that the identifier key is expressed in human readable form comprising a representation of the individual's first or given name, father's first or given name, mother's first or given name, and date of birth. See, Office Action at page 8. For genealogical enquiries, it is hardly surprising that this data is returned on an enquiry relating to a particular individual. But there is no suggestion in Eaton that such information is expressed in the identifier key itself. Instead, it is clear that this information is returned from the database in response to an enquiry.

Eaton does not teach or in any way suggest a method of uniquely identifying individuals, nor a method or system for associating records with uniquely identified individuals. Even if it did, there is no suggestion in Eaton that the concept could be applied beyond the arena of transmission of genealogical information. Still further, Eaton does not teach the expression of the key as required by independent claims 1 and 19.

Duncan - WO 01/35360

Duncan concerns a method for paging for and matching partners. It is a system for 'matchmaking on the run,' designed to help people (strangers) meet up with each other, on the basis of having similar interests or characteristics. Two individuals carry pagers embedded with special software. The two pagers 'talk' and 'arbitrate' the degree of 'matchness' and trigger signals (for display to the carriers) when criteria such as range and desirability/compatibility are fulfilled.

There is no teaching or suggestion that this concept can be used to uniquely identify an individual, nor to associate records such as medical records (or law enforcement records) to a unique individual. Moreover, Duncan does not teach the expression of the key as required by independent claims 1 and 19.

Duncan does discuss the gender of an individual and a horoscope profile including birth place expressed in coordinates. However, this is not for the purposes of providing an identification key for unique identification of an individual for associating with transactions. On the contrary, the profile data is for use in the assessment of compatibility between users. For example, the compatibility assessment is required to connect to members of the opposite sex in heterosexual gender proclivity. This has nothing to do with unique identification of the individual, as required by the claimed inventions.

3. No anticipation by combination, and no reason to combine the references

As the above explains, none of the items of prior art raised by the Examiner, considered individually or in combination, teaches a method of uniquely associating

transaction data with a particular individual as defined by the claims of the present invention. There is therefore no reason that the skilled reader when faced with the problem of the present invention would turn to these documents, but even if he were to do so, he would not arrive at Applicant's claimed invention.

As discussed above, some of the individual claim features when taken separately might find parallel in the prior art references. However, in no instance do these disclosures teach those features in the context of unique identification of individuals for associating with transaction data. Furthermore, each of the prior art references addresses problems not only wholly unrelated to that of the present invention, but also wholly unrelated with each other. Therefore, there would be no reason the skilled reader would combine those prior art teachings.

As discussed above, Shanahan (page 8, paragraph [0185]) teaches a "personality identifier" defined (page 4, paragraph [0131]) to mean a thematic set of services that can be used to enrich a document. This has nothing to do with the personal identification key of Applicant's claimed inventions. According to Shanahan, there are many users who use the document auto-completion feature, and the result is a 'many-to-one' relationship, as a single "personality identifier" may be associated with a plurality of users. For example, in Fig 8 of Shanahan one of the personality options is "business" making clear that it cannot be used to provide a unique personal identifier.

To reiterate, Applicant's invention allows the unification and aggregation of all the medical transactions of an individual who receives healthcare in a plurality of settings and contexts distributed over time. The prior art does not contemplate this problem, and does not provide the claimed solution, either considered as separate teachings, or

in combination (although there would be no reason to combine - nor advantage to be gained from combining - the various pieces of prior art, as they all address wholly different technical fields and wholly different problems).

4. The dependent claims

Applicant provides the following additional comments with regard to the features introduced by certain of the dependent claims.

Claim 9

Shanahan (page 21, paragraph [0328], lines 11-14) teaches parsing of tagged strings in text chunks into categories in a semantic analysis exercise to form query strings. This is in fact orthogonal to the feature of the present invention as claimed in claim 9.

Claim 14

Shanahan (page 7, paragraph [0174], lines 5-7) teaches a system for auto-completion of forms, to receive a personality identifier which is a user profile that can be assumed by any plurality of users. In addition to this profile, it can seek out the location of the user using a tag reader so that, in combination with the personality identifier, the system can respond in a more customized manner. This feature is similar to the focussed advertisements on the web, results returned being responsive to the geographical location of the user's machine.

In contrast, the feature of claim 14 requires a static location embedded in a unique personal identifier to aggregate health transactions.

5. Other objections

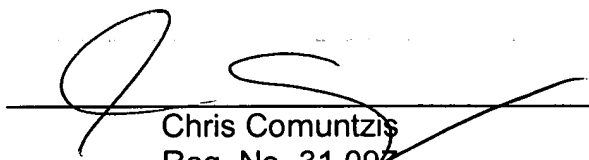
With regard to the priority documents, these should have been provided by the PCT Receiving Office, and Applicant has attached a copy of PCT Form 304 confirming receipt by the International Bureau. If the priority documents are still missing from the file please let Applicant know and additional copies will be provided.

Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1-21, standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

Respectfully submitted,

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